

Message Text

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ORIGIN EB-11

INFO OCT-01 EUR-25 NEA-10 IO-14 ISO-00 SSO-00 NSCE-00

INRE-00 USIE-00 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00

FRB-02 H-03 INR-10 INT-08 L-03 LAB-06 NSAE-00 NSC-10

PA-04 RSC-01 AID-20 CIEP-02 SS-20 STR-08 TAR-02

TRSE-00 PRS-01 SPC-03 FEA-02 OMB-01 SAM-01 OIC-04

AF-10 ARA-16 EA-11 DRC-01 /232 R

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EB/ITP:JCRENNER

NEA/CYP:TBOYATT

NEA/RA:RCHASE L/EB:DBURNS (SUBS)

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY NICOSIA

USMISSION EC BRUSSELS

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY BRUSSELS

AMEMBASSY LUXEMBOURG

AMEMBASSY DUBLIN

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E.O. 11652: N/A

TAGS: ETRD, GATT, CY

SUBJECT: GATT WP ON EC-CYPRUS AGREEMENT, FEBRUARY 22

REFS: (A) STATE 21520; (B) GENEVA 633; (C) L/3988

1. U.S. POLICY WITH RESPECT TO EC-CYPRUS AGREEMENT
PARALLELS EARLIER POLICY POSITION TAKEN WITH RESPECT TO
GATT WP CONSIDERATION OF EC-MALTA AGREEMENT (REF A).

2. ACCORDINGLY, WE WOULD LIKE WP REPORT TO REFLECT
STATEMENT OF U.S. VIEWS THAT THE AGREEMENT BETWEEN EC AND
CYPRUS DOES NOT CONFORM FULLY TO GATT ARTICLE XXIV CRITERIA
FOR CUSTOMS UNION OR FOR INTERIM AGREEMENT LEADING TO
FORMATION OF A CUSTOMS UNION AND THAT GATT COMPATIBILI-
TY CAN NOT BE ESTABLISHED AT THIS TIME.

3. MISSION MAY NOTE FOLLOWING U.S. RESERVATIONS WITH
RESPECT TO GATT COMPATIBILITY OF EC-CYPRUS AGREEMENT:

A) THE AGREEMENT LACKS A SPECIFIC SCHEDULE AS
REQUIRED BY ARTICLE XXIV:5:C. THERE IS NO BINDING
COMMITMENT IN THE AGREEMENT OR IN THE ANSWER TO QUESTIONS
THAT A CUSTOMS UNION WILL BE ESTABLISHED WITHIN THE FIVE-
YEAR SECOND STAGE OR WITHIN ANY OTHER SPECIFIED PERIOD
OF TIME.

B) WE DOUBT THAT CUSTOMS UNION AMONG COUNTRIES AT
SUCH WIDELY DIFFERING STAGES OF INDUSTRIALIZATION CAN
LEAD TO GATT CONSISTENT ASSOCIATION ENCOMPASSING THE
ELIMINATION OF SUBSTANTIALLY ALL TRADE BARRIERS AND
IMPOSITION OF SUBSTANTIALLY SAME DUTIES AND REGULATIONS
ON THIRD COUNTRY TRADE, WITHIN A REASONABLE LENGTH OF TIME
AS REQUIRED BY ARTICLE XXIV:5:C AND ARTICLE XXIV:8:A.

C) THE INCLUSION OF RESTRICTIVE RULES OF ORIGIN
REQUIREMENTS IS NOT CONSISTENT WITH ARTICLE 24:4. RUSH

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